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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,619	07/26/2004	Mats Sabelstrom	7589.186.PCUS00	4335

28694 7590 12/18/2007
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EXAMINER

RODRIGUEZ, PAMELA

ART UNIT	PAPER NUMBER
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3683

MAIL DATE	DELIVERY MODE
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12/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/710,619

Applicant(s)

SABELSTROM ET AL.

Examiner

Pam Rodriguez

Art Unit

3683

All participants (applicant, applicant's representative, PTO personnel):

(1) Pam Rodriguez.

(3) _____

(2) Ken Fagin.

(4) _____

Date of Interview: 11 December 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant

2) ☒ applicant's representative] - faxed thereto

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____

Claim(s) discussed: 1 and 14.

Identification of prior art discussed: Heinzelmann reference.

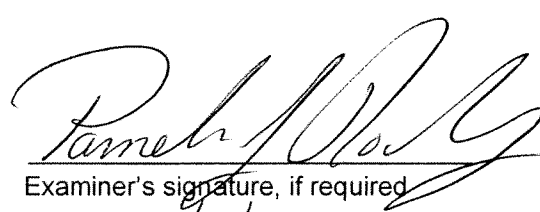
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Fagin contacted the examiner to gain clarification as to her interpretation of the term "brake torque" as it pertained to the outstanding office action and the reading of the Heinzelmann reference. The examiner began by stating that from applicant's specification, particularly page 3 of applicant's spec., applicant states that one can control brake torque from a brake as a function of speed of the vehicle. With regards to the Heinzelmann reference, while not specifically stated in the reference, his utilization of speed as a determining factor for braking in essence also regulates brake torque in the vehicle. Heinzelmann discloses that the first and second auxiliary brakes 30 and 28 are controlled by using this vehicle speed/predefined limit value Vs. In light of all this, the examiner is interpreting the term "brake torque" in Heinzelmann to mean the overall braking force applied to either of the auxiliary brakes or the vehicle. As stated in the PCT abstract of Heinzelmann, these auxiliary devices are controlled (i.e., their braking torques/forces would be controlled) by using vehicle speed parameters. Thus, the Vs measurement would establish a limit value on the brake torque by regulating the operation of the auxiliary brakes so as not to exceed a certain speed for the vehicle. So in summary, while applicant may be defining the term "brake torque" to mean one specific thing. The examiner is defining the term to be the force of braking present in the system and the rejection is tailored as such. The examiner recognizes that the gist of applicant's invention is based on the regulation of torque capacity for the vehicle in the instance of auxiliary braking. However, the examiner maintains that defining the term "brake torque" to be "brake force" given the current claim language is a valid interpretation.